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Attorneys for Defendants  
State of California by and through California  
Highway Patrol and Officer Ramon Silva

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

SANDRA KIRKMAN AND  
CARLOS ALANIZ,  
INDIVIDUALLY AND AS  
SUCCESSORS-IN-INTEREST TO  
JOHN ALANIZ, DECEASED,

Plaintiff,

v.

STATE OF CALIFORNIA;  
RAMON SILVA; AND DOES 1-10,  
INCLUSIVE,

Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

**DECLARATION OF LEE H.  
ROISTACHER IN SUPPORT OF  
OPPOSITIONS TO PLAINTIFFS'  
MOTIONS IN LIMINE**

Courtroom: 8C  
Judge: Hon. Dolly M. Gee

FPTC: March 25, 2025, 2:00 p.m.

Trial Date: April 15, 2025, 8:30 a.m.

I, Lee H. Roistacher, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California. I am also a partner in the law firm of Dean Gazzo Roistacher, LLP, attorneys of record for defendants State of California by and through California Highway Patrol and Officer Ramon Silva in this matter. I have personal knowledge of the following facts.

2. Attached as Exhibit 1 to this declaration is a true and correct copy of a police report from the Torrance Police Department.

3. Attached as Exhibit 2 are true and correct copies of excerpts from the deposition of Torrance Police Officer Scott Norris.

4. Attached as Exhibit 3 are true and correct copies of excerpts from the deposition of plaintiff Sandra Kirkman.

5. Attached as Exhibit 4 are true and correct copies of excerpts from the deposition of plaintiff Carlos Alaniz Jr.

6. Attached as Exhibit 5 is a true and correct copy of the Federal Rule of Civil Procedure 26 expert report of David Blake.

7. Attached as Exhibit 6 are true and correct copies of excerpts from the deposition of David Blake.

8. Attached as Exhibit 7 is a true and correct copy of the transcribed statement of Emanuel Clark.

9. Attached as Exhibit 8 is a true and correct copy of the Federal Rule of Civil Procedure 26 expert report of Rod Englert.

10. Attached as Exhibit 9 are true and correct copies of excerpts from the deposition of Rod Englert.

11. Exhibit 10, which will be manually filed, are true and correct copies of animations illustrating Rod Englert's opinions.

12. Attached as Exhibit 11 is a true and correct copy of a picture of the glass pipe in the eyeglasses case that was in Alaniz's hand.

13. Attached as Exhibit 12 is a true and correct copy of a picture of the glass pipe in the eyeglasses case that was in Alaniz's hand.

14. Attached as Exhibit 13 are true and correct copies of excerpts of the deposition testimony of Carlos Acosta.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 21, 2025.

/s/ *Lee H. Roistacher*

Lee H. Roistacher, declarant